

The Commonwealth of Massachusetts

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

August 14,

D.T.E. 98-84/EFSB 98-5

Investigation by the Department of Telecommunications and Energy, on its own motion, commencing a Notice of Inquiry and Rulemaking, pursuant to M.G.L. c. 164 §§ 69H, 69I, 76C, and 220 C.M.R. §§ 2.00 et seq., into (1) rescinding 220 C.M.R. §§ 10.00 et seq., and (2) exempting electric companies from any or all of the provisions of G.L. c. 164, § 69I.

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS BY THE DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY AND THE ENERGY FACILITIES SITING BOARD

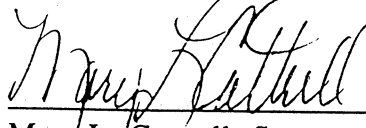
On August 10, 1998, the Department of Telecommunications and Energy ("Department"), pursuant to M.G.L. c. 164 §§ 69H, 69I, 76C, and 220 C.M.R. §§ 2.00 et seq., issued a Notice of Inquiry and Rulemaking requesting public comment on whether to (1) rescind 220 C.M.R. §§ 10.00 et seq., and (2) exempt electric companies from any or all of the provisions of G.L. c. 164 § 69I. Notice of Inquiry and Rulemaking, D.T.E. 98-84. In addition, on August 13, 1998, the Energy Facilities Siting Board ("Siting Board"), pursuant to G.L. c. 164, §§ 69H and 69I voted to issue a Notice of Inquiry requesting public comment on the Department's proposal to exempt electric companies from any or all of the provisions of G.L. c. 164, § 69I. Notice of Inquiry, EFSB 98-5. A copy of the Department's Order opening this proceeding and the Siting Board's Notice of Inquiry may be obtained upon request from Mary L. Cottrell, Secretary, Department of Public Utilities, 100 Cambridge Street, Boston, Massachusetts 02202.

The Department and the Siting Board will conduct a joint public hearing to receive oral comment in this matter on Monday, September 14, 1998, beginning at 10:00 a.m., at the Department of Telecommunications and Energy, 100 Cambridge Street, 12th floor, Boston, Massachusetts. In addition, any interested person may file written comments in this matter no later than the close of business, Friday, September 4, 1998. Comments may not exceed 20 pages in length. Commenters must, whenever possible, file comments on a 3.5" diskette formatted in WordPerfect 5.1 or higher. One original and nine copies of all comments should be filed with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, 100 Cambridge Street, 12th Floor, Boston MA, 02202. If there are any questions regarding this notice, please contact the Hearing Officer assigned to this case, William Stevens, at (617) 305-3500.

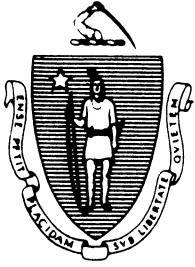
As noted in both Notices of Inquiry, in addition to any comments on the issues of whether to (1) rescind 220 C.M.R. §§ 10.00 et seq., and (2) exempt electric companies from any or all of the provisions of G.L. c. 164, § 69I, we seek comments on the following questions:

1. Will information generally available from ISO New England be sufficient to allow the Department to report to the General Court, pursuant to G.L. c. 164 § 69I, on "the reliability and diversity of electric power?" If not, what other information will the Department need to collect, and how should it be collected?
2. What changes need to be made to Administrative Bulletin 78-2 in order to (1) focus it on developing transmission needs, rather than supply needs; and (2) ensure that the Department and Siting Board are aware of emerging inter-utility and inter-state transmission needs?
3. Under what circumstances should forecast information be supplied as part of a proposal to construct a transmission facility pursuant to G.L. c. 164 § 69J? Is a forecast necessary only when the need for a proposed facility depends primarily on projected load growth?
4. What should be the geographical extent of any forecast filed as part of a transmission facility proposal?
5. What information should be filed in such a forecast? To what level of detail would the Siting Board need to review the forecast in order to ensure that it is accurate enough to serve as proof of the need for the proposed facility?

By Order of the Department,



Mary L. Cottrell, Secretary



The Commonwealth of Massachusetts
DEPARTMENT OF
TELECOMMUNICATIONS AND ENERGY

1998 AUG 19 A 11: 16
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

August 6, 1998

DTE 98-75

PUBLIC NOTICE OF PROPOSED RULEMAKING

Investigation by the Department of Telecommunications and Energy ("Department") on its own motion to promulgate 220 C.M.R. § 151.08: Rail Fixed Guideway System: Track Inspection and 220 C.M.R. § 151.09: Rail Fixed Guideway System: Track Maintenance, pursuant to the provisions of G.L. c. 30A, § 30, and G.L. c. 161A § 3(i). Regulations relative to rail fixed guideway systems are applicable to Massachusetts Bay Transportation Authority ("MBTA") operations

On September 15, 1997, the Department issued D.P.U. 96-116 promulgating 220 C.M.R. §§ 151.00 et seq. Rail Fixed Guideway System Safety Program Standard regulating oversight of hazardous conditions and accidents. On June 1, 1998, the Department issued D.T.E. 98-11 amending 220 C.M.R. §§ 151.00 et seq. by 220 C.M.R. § 151.03, oversight regulations relative to the personal security of passengers and employees of the MBTA. The regulations proposed in DTE98-75 address the procedures for the inspection of track and rail on the MBTA system and of track maintenance of that track system.

A copy of the proposed regulations is available at the Departments's office at the address listed below. The Department invites interested persons to comment on the proposed regulations by submitting an original and three (3) copies of written comments to the Department. These comments shall be addressed to the Department of Telecommunications and Energy and sent to Mary L. Cottrell, Secretary, 100 Cambridge Street, Boston, Massachusetts 02202, no later than Friday, September 4, 1998.

The Department will conduct a public hearing to receive oral comment on the proposed amendment to the Department's regulations at 10:00 a.m. on Friday, September 11, 1998 at the Department's offices, 100 Cambridge Street, Boston, Massachusetts.

By Order of the Department,


Mary L. Cottrell, Secretary

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Consent Communication #33 5935

A communication was received from Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, transmitting a notice of public hearing and request for comments by the Department of Telecommunications and Energy and the Energy Facilities Siting Board and Public Notice of Proposed Rulemaking.

In City Council September 14, 1998

No Action Taken

9/28/98

Referred to the City Manager